

CHADDS FORD TOWNSHIP
Board of Supervisors' Meeting
Wednesday, December 7, 2011
at 7:30 p.m.

Officials Present:

Garry Paul, Chairman
Deborah Love, Vice Chairman
George Thorpe, Supervisor
Joe Barakat, Township Manager
Richard Jensen, Building Inspector & Zoning Officer
Hugh Donaghue, Esq., Township Solicitor
Joe Mastronardo, P.E., Township Engineer
Barbara Biedekapp, Assistant Secretary/ Treasurer
Matt DiFilippo, Assistant Secretary/ Treasurer

Call to Order:

Chairman Paul called the Meeting to order at 7:36 p.m. Supervisor Thorpe reviewed the emergency exits.

State Police Report:

Corporal Felix Acosta, Media Barracks Patrol Supervisor, presented the police report. He reminded residents of the increased danger of automobile break-ins during the holiday season.

Approval of Minutes:

Upon motion and second (Thorpe/ Love), the Board of Supervisors (BOS) unanimously approved the minutes for the November 2 Regular Meeting and the November 21st Special Meeting.

Supervisors' Report:

Chairman Paul reported that the three supervisors met about personnel issues on Tuesday, November 29. Chairman Paul welcomed Matthew B. DiFilippo to the township.

Manager's Report:

Manager Barakat presented a written report and offered the following comments: the Road Program was making progress, Marshall Rd. was nearly complete; the contractor is to pave the Ridings WWTP next and also begin work on Bullock Rd. He asked that the following cash escrows be released:

1. 47 Marshall Road, On-site septic tank replacement (SEO). \$300 posted, refund \$64.25 to Joseph Walls, Inc., and \$234.75 to CFT to cover incurred Engineering expenses.
2. Lyons Dougherty representing the Sunoco at 202 & 1. \$900 posted for Zoning Hearing Board. Return \$900
3. 466 Webb Road returning the full amount of \$800 to Mr. Crowley.

4. 1460 Smithbridge Road, on-site septic system, originally posted \$750. Expenses were in excess of \$750. Release \$750 to CFT, bill client for balance.
5. 1421 Smithbridge Rd., on-site septic system, originally posted \$750 Expenses were in excess of \$750. Release \$750 to CFT, bill client for balance.
6. 10 Station Way. Brandywine Conservancy posted a \$10,000 deposit for the purchase of the former Township building. Settlement was completed in August. These funds are now to be turned over to the Township

Upon motion and second (Thorpe/Love) each of the above six escrow releases were approved. Mr. Barakat suggested that the on-site septic escrows be increased in 2012 to more accurately match the incurred expenses.

Treasurer's Report:

Barbara Biedekapp, Assistant Secretary/ Treasurer presented the Treasurer's Report and noted that the DE County Animal Control check in the amount of \$1,250 for Animal Control Resolution to be discussed under "New Business" was created after the Treasurer's Report and thus increased the total disbursements from \$75,571.29 to \$76,821.29. She also noting receivables included an invoice to the Sewer Authority for \$68,467.94.

Upon motion and second (Love/ Thorpe), the Supervisors unanimously approved disbursements of \$76,821.29

Building Inspector and Code Enforcement Officer:

Mr. Jensen submitted a written permit report and offered the following:

Two Zoning Hearing Board applications were approved, the first for David Dodge on Wilmington Pike for Signage relief. The second from John Street increasing his roof at his Marshall Road property—permits will be issued.

Two new ZHB hearings are scheduled December 21st:

- Garnet Ford's request for signage (Wilmington Pike 1601)
- Brandywine Conservancy's special request for tours at former Wyeth Studio on Creek Rd.

2 HARB issues are to be presented December 12th:

- Sanderson Museum
- Lisk's property. Mr. Lisk has submitted all paperwork, but needs to appear for review.

Mr. Jensen received a request from Mr. Calvin Powell concerning the property at 1719 Wilmington Pike formerly used for a Ziebart auto coatings store. Mr. Powell has a potential tenant interested in establishing an Aamco Transmission store.

New Horizon Church submitted a plan to move out of shopping center and into the residential property they own ultimately utilizing the house for worship. Besides egress and regular issues, they own the property and Jensen believes they have a building permit.

At Court, an enforcement notice issued to Keystone Plaza for erecting a real estate sign without a permit was dropped as owner complied with Township requirements.

At Court, an enforcement notice was issued for the Larkin property on Bullock Road for Earth Disturbance without a permit. The Larkin Property has been given two weeks to remove the tent and submit a plan, acquire the proper permits, and pay the proper fees.

Engineer's Report:

Joseph Mastronardo, P.E. submitted a written report and presented the following for release of improvement security:

Upon motion and second (Love/ Thorpe) BOS unanimously approved Release #1 to BruggemannChemical in the amount of \$44,496.56.

Upon motion and second (Love/ Thorpe) BOS unanimously approved the release of \$14,395.50 to Garnet Ford. The remaining balance in escrow is \$5,399.

Old Business:

Chairman Paul presented the Final 2012 Budget which included a new line item for participation in the Delaware County Animal Control program (see new business). There were questions from residents on various line items. Upon motion and second (Love/ Thorpe) BOS unanimously approved the 2012 Budget.

Township Audit. Pursuant to the Second Class Township Code, the Township advertised appointment of an outside audit firm in lieu of the elected auditors. Upon motion and second (Love/ Thorpe) BOS unanimously approved the appointment of the firm Maillie, Falconiero & Co. to prepare the 2011 Audit.

New Business

New Cingular Wireless, LLC, d/b/a AT&T Mobility has applied for Conditional Use Approval to modify an existing cellular telephone tower co-located on a PECO owned facility at 39 Heyburn Rd. Christopher Schubert Esq. of Riley, Riper, Holin & Colagreco representing the applicant appeared before the board seeking approval and Township Solicitor Donaghue presented a resolution for consideration.

There was a lengthy discussion of the costs for landscaping as presented during the Conditional Use Hearing and the Township has asked the applicant to post funds for improvements to the site entrance which would be equivalent to expenses incurred by other cell tower operators in the Township in lieu of plantings, and on-going maintenance. Vice Chairman Love suggested that based on 2011 dollars, that figure should be \$15,000 considering other problems at the site, the lack of "tire scrubbers" etc.

Resolution 2011-18, Conditional Use Approval for AT&T Mobility

Upon motion and second (Thorpe/Love), the board unanimously approved the Conditional Use Resolution.

Bruggemann Chemical (Resolution 2011-10).

Upon motion and second (Love/Thorpe), the Board unanimously re-affirmed Resolution 2011-10.

16/20 Bullock Road (Res. 2011-16):

Upon motion and second (Love/Thorpe), the Board unanimously re-affirmed Resolution 2011-16.

Sewer Authority Loan

The Township has loaned \$225,000 to the Sewer Authority at a rate equal to the average of local bank's prevailing money market savings rate. The terms of the loan require that the interest rate be adjusted every six months. The existing rate is 1.2%; the revised rate would 0.9%.

Upon motion and second (Thorpe/Love) the board approved extending the loan an additional six months at a rate of 0.9% per annum.

Fire Protection Fund & General Fund Tax Rates:

The Township has proposed funding the Concordville Fire & Protective Services contract through the use of the Local Services Tax fund. Accordingly, the separate line item on the real estate tax bills should be altered.

Upon motion and second (Thorpe/ Love) BOS unanimously approved combining the millage on the tax bills for the General Fund Rate and the fire protection fund and directed the Manager to advise the Tax Collector to modify the tax duplicates accordingly.

Animal Control Resolution 2011-19:

Vice Chairman Deborah Love reported on the culmination of nearly 18 months work by the Delaware County Council of Governments (COG) working with County Council to resolve the issue of complying with the Pennsylvania Dog Law in view of the fact that the Delaware County SPCA will no longer accept strays turned over by municipalities.

The County has created the "Delaware County Animal Control Board," leased space for a new facility in Darby Township to be constructed and ready for use in 2012. During the interim, the Board has contracted with the Chester County SPCA to accept stray dogs and cats. Participation would add a \$1250 annual expense to the Township budget.

Upon motion and second (Thorpe/ Love) the Board unanimously approved Resolution 2011-19 and payment of \$1,250 to help control stray and/or nuisance animals.

Committee Reports:

Various committee reports were submitted. No committee chairs appeared.

Public Comments:

Vice Chair Love recognized and applauded Garry Paul on his public service as a Supervisor, prior Sewer Authority Board member and now Chairman of the Board of Supervisors noting that this was his last meeting. George Thorpe followed with thanks and appreciation for Chairman Paul's hard

work and accomplishments for the benefit of Chadds Ford. Chairman Paul thanked and elaborated on his time as Supervisor for the past 8 years.

Upon motion and second (Thorpe/ Love) the meeting was adjourned at 9:04 PM.

Respectfully submitted,

Matt DiFilippo, Assistant Secretary – Treasurer